

Remarks

As discussed below, the rejections of claims 1-14 cannot be maintained due to the lack of correspondence between the cited portions of the '634 reference and numerous aspects of the claimed invention. In particular method claims 12-14 have not been addressed by the Examiner in the instant Office Action and thus should be indicated as allowed since no valid rejection of claims 12-14 has been presented.

The instant Office Action dated November 19, 2008 notes the following rejections: claims 1-5 and 7-14 stand rejected under 35 U.S.C. § 102(b) over Johnsgard *et al.* (US Patent No. 6,200,634); and claim 6 stands rejected under 35 U.S.C. § 103(a) over Johnsgard.

Applicant respectfully traverses the § 102(b) rejection of claims 1-5 and 7-14 and the § 103(a) rejection of claim 6 because the cited portions of the '634 reference do not correspond to numerous aspects of the claimed invention. The following examples particularly addresses that lack of correspondence between the cited portions of the '634 reference and the claimed invention with reference to specific claims.

As a first example, regarding claims 1-11, the cited portions of the '634 reference does not correspond to aspects of the claimed invention directed to a susceptor that includes a support for a wafer. The Examiner erroneously asserts that cavity 524 (*i.e.*, an empty space) shown in Fig. 5 of the '634 reference corresponds to Applicant's susceptor. The cavity 524 does not include a support wafer 502, and thus does not correspond to the susceptor of the claimed invention. Moreover, Applicant submits that it is illogical to assert that a cavity (or empty space) provides any support for a wafer.

As a second example, regarding claim 3, the cited portions of the '634 reference do not correspond to aspects of the claimed invention directed to an optical signal measurer that filters an optical signal from the at least one optical fiber and that converts the filtered optical signal into the electrical signal. The cited portions of the '634 reference do not teach that optical pyrometer 534 (*i.e.*, the Examiner's alleged optical signal measurer) filters an optical signal from optical fiber 526. *See, e.g.*, Figure 5 and Col. 9:20-56. Applicant notes that the Examiner simply identifies optical pyrometer 534, without providing any assertion of correspondence to the filtering aspects of the claimed invention. In fact, a word search of the '634 reference reveals no mention of filtering in relation to the optical pyrometer 534 or in any context whatsoever.

As a third example, regarding claims 12-14, the cited portions of the '634 reference do not correspond to aspects of the claimed invention directed to filtering out a spectrum of the radiation signal for which the wafer is opaque and converting the filtered radiation signal into an electrical signal. As discussed above, the '634 reference does not teach that optical pyrometer 534 filters of the indication of the light intensity provided by optical sensor 526 in any manner, let alone filtering out a spectrum of the radiation signal for which the wafer is opaque as in the claimed invention. *See, e.g.*, Figure 5 and Col. 9:20-56. Applicant notes that the Examiner fails to even assert correspondence to these aspects of claims 12-14; as such, the rejection of claims 12-14 necessarily fails and must be withdrawn. Moreover, as the cited portions of the '634 reference do not teach filtering out a spectrum of the radiation signal for which the wafer is opaque, the '634 reference further fails to teach converting the (apparently nonexistent) filtered radiation signal into an electrical signal as in the claimed invention.

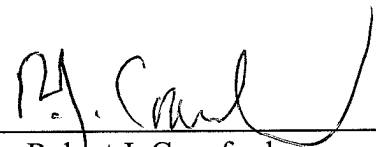
As a fourth example, regarding claims 12-14, the cited portions of the '634 reference do not correspond to aspects of the claimed invention directed to controlling a wafer temperature by keeping the electrical signal constant during a deposition cycle. The cited portions of the '634 reference simply state that typically the temperature is held constant during processing, with one example of a processing step being a deposition cycle. *See, e.g.*, Col. 21: 2-10. However, the cited portions of the '634 reference do not mention how the temperature is held constant during processing, and particularly do not teach holding the temperature constant by keeping the electrical signal (generated responsive to an optical signal from the backside of a wafer) constant.

In view of the above, the cited portions of the '634 reference do not correspond to numerous aspects of the claimed invention. Accordingly, the § 102(b) rejection of claims 1-5 and 7-14 and the § 103(a) rejection of claim 6 are improper and Applicant request that they be withdrawn.

In view of the remarks above, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is asked to contact the agent overseeing the application file, Peter Zawilski, of NXP Corporation at (408) 474-9063.

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